IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4147 OF 2004
IN
CRIMINAL APPEAL NO. 1092 OF 2004

Manoj Kallappa Parshetty. .. Applicant

Vs

The State of Maharashtra. .. Respondent

Mr. Sudatta Patil for the applicant.

Mrs. Usha Kejriwal, APP, for the respondent-State.

CORAM: S.B. MHASE &
ANOOP V. MOHTA, JJ.

DATED: 09TH DECEMBER, 2004

P.C.:

1. Heard Mr. Sudatta Patil for the applicant and Mrs. Kejriwal, learned APP, for the State.

2. This is an application by the original accused No.2 for suspension of the sentence and grant of bail. We have perused the judgment. The role attributed to the applicant is that he instigated accused No.1 to assault the deceased and thereupon, the deceased was assaulted. He was on bail during trial. He has not misused the bail.

3. Taking into consideration these facts, we are inclined to suspend the sentence and grant bail to the applicant. Therefore, the following order:

O R D E R :

(a) The order of sentence dated 23rd August, 2004, in Sessions Case No. 73/2004 decided by the Vth Addl. Sessions Judge, Sangli, is hereby suspended till the final disposal of the Appeal.

(b) The applicant - original accused No.2 be released on P.R. Bond of Rs.20,000/- with two sureties in the like amount of Rs.20,000/- each.

(c) The applicant is hereby directed to report to the Vishrambag Police Station, District Sangli, once in a week i.e. on Sunday between 10.00 a.m. to 11.00 a.m.

4. Criminal Application is disposed of accordingly.

[ANOOP V. MOHTA, J.] **[S.B. MHASE, J.]**

[srpasha@hc]